Juries, Rights of Negroes Respecting - 1915

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RACE QUESTION RAISED IN U. S. COURT AT MACON

Constitution 5-15-15

Exclusion of Negroes From Juries Used to Save Alleged Murderer.

Macon, Ga., May 14.—For the first time in the history of the United States court for the southern district of Georgia the race question was raised today when attorneys for Robert Kitchens, a negro, sought to obtain his release on a writ of habeas corpus. Kitchens is under sentence to be hanged on May 21 in Washington county, having been convicted of the murder of H. A. Brantley, a white man.

The application for the writ charged that the negro was being deprived of his rights under the fourteenth amendment, in that negroes were excluded from the jury box.

Federal Judge Speer announced that he could not grant the writ, but would grant an appeal to the United States supreme court, which will be taken. The same procedure is being followed as was taken in the Frank case.

Federal Judge Emory Speer late tonight issued a formal court order directing Sheriff Hamilton, of Washington county, to stay the execution of the negro, Kitchens, pending the considering of the appeal by the supreme court of the United States.